SHIMOGA DISTRICT.

Notification No. A2. C. 2588 *of* 30-31 *dated 7th August* 1931.

The right to collect tolls at the toll-gate as noted in Schedules A and B during the official year 1931-32, will be resold by public auction at the place and on the date specified against each gate.

2. Every person intending to bid at the sale should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder, who will be called the contractor, will be returned only on fulfilment of the contract. The deposit of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A, who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered.

4. The successful tenderer shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and when he does not hold property in Mysore, shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract and if he is a non-resident foreigner he shall also be deemed to have agreed to submit himself to the jurisdiction of the Civil Courts in Mysore and to be bound by any decree, *ex-parte* or otherwise, that may be passed against him by such Courts for any sums due in respect of the contract amount.

5. The contract shall not be transferred by sale, gift or otherwise or sub-lease without the previous sanction of the Deputy Commissioner.

6. The contract amount shall be paid in 12 equal monthly instalments in advance on the first day of every month into the Taluk Office. The contractor shall also pay along with the instalments the authorised Local, Railway and Educational Cesses, if any, at the prescribed rates.

7. Fees recovered from persons compounding the payment of toll in accordance with standing rules and orders approved by Government shall be kept at the credit of the contractor and adjusted towards the last instalment or instalments, as the case may be.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The amount due from the contractor or his sureties shall be recoverable as if they were arrears of land revenue under the provisions of the Land Revenue Regulation and the rules thereunder.

10. The contractor shall collect tolls only at the gates and the rates on the traffic specified in Schedules A and B.

11. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

12. The contractor shall keep at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Deputy Commissioner, the Sub-Division Assistant Commissioner and the Amildar. He shall, if required by the Deputy Commissioner, furnish to the Taluk Office at the end of every month, a true return for the month showing the traffic passing through the gate in a prescribed form.

13. The contractor will have the use of the existing toll house and gate without payment of any rent, and he should keep them in good repair, failing which the cost of repair will be recovered from the contractor. The contractor should at his own cost make proper arrangements for illumination at nights.

14. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

15. The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll-gate a book, wherein travellers may record complaints, and forward true extracts thereof once a week to the Amildar.

16. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated the 4th November 1876, as revised from time to time. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned in Schedule C.

17. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due not being paid within the prescribed date, it shall be competent to the Deputy Commissioner to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a re-sale or otherwise. The re-sale will be held at the risk of the defaulting contractor, who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the re-sale.

Note.—Sub-Division Assistant Commissioners are also empowered to punish the contractor or his servants for any breach of the above conditions or rules either by the levy of fine or by a forfeiture of the deposit. But the power to suspend the collection of toll as well as the right to order its re-sale, shall be reserved to the Deputy Commissioner.

18. The imposition of fine or re-sale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

19. Bidders shall abide by the conditions of the sale set out below which shall be deemed to form part of this notification.

CONDITIONS OF SALE.

1. Persons intending to bid at the sale must attend in person or by a duly accredited agent.

2. The amount by which the biddings are to be increased shall be determined by the Officer conducting the sale. In the event of any dispute arising as to the amount of the bid or as to the bidder, the right to collect tolls at the toll-gate concerned shall at once be again put up to auction.

3. The Officer conducting the sale shall not be bound to accept all bids as a matter of course, it shall be in his discretion to decline the acceptance of the highest or any bid whatever.

4. It shall be in the discretion of the officer conducting the sale to adjourn it to a date and hour specified by him.

SCHEDULE A.

Serial No.	Name of toll or bridge	Situation of the gate	Whether toll is to be levied on through traffic, in-coming traffic or out-going traffic.	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements of the people near the toll-gate	Amount of deposit required	Place of sale	Date of sale	Officer conducting the sale	Officer confirming the sale.
1	Kogar-Nagavalli ..	Near Kogar-Nagaval'i-Bhatkal Road.	On both in-coming and out-going traffic	....	Rs. 66	The Deputy Commissioner's Office, Shimoga	Friday 28th August 1931	Deputy Commissioner, Shimoga.	Revenue Commissioner in Mysore.

SCHEDULE B.

SCHEDULE OF MAXIMUM RATES OF TOLLS.

		Rs.	a.	p.
1.	(a) On every four-wheeled motor vehicle constructed to carry less than ten persons	1	0	0
	(Composite fee in respect of the above) per annum ...	200	0	0
	(b) On every other four-weeled motor vehicle	2	0	0
	(Composite fee in respect of the above) per annum ..	400	0	0
2.	On motor cycle with or without side car	0	4	0
3.	On every four-wheeled carriage	0	8	0
4.	Do two-wheeled carriage on springs, other than a jatka or ekka	0	4	0
5.	Do ekka or jatka, laden	0	2	0
6.	Do do unladen	0	1	0
7.	Do other vehicle with springs including tricycle ...	0	2	0
8.	Do cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden.	1	0	0
9.	Do do do if not laden.	0	8	0
10.	Do cart or other vehicle drawn by six bullocks, buffaloes, horses ponies, asses or mules, if laden ...	0	8	0
11.	Do do do if not laden...	0	4	0
12.	Do cart or other vehicle drawn by four bullocks, horses, buffaloes, ponies, asses or mules, if laden ...	0	6	0
13.	Do do do if not laden ..	0	3	0
14.	Do cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden.	0	4	0
15.	Do do do if not laden.	0	2	0

16.	On every cart or other vehicle drawn by a single bullock, buffalo, horse, ass or mule, if laden	...	0	2	0
17.	Do do do if not laden	...	0	1	0
18.	On every buffalo or bullock per head if laden	...	0	1	0*
19.	Do do do if not laden	...	0	0	6*

N.B.—Toll will be levied on bullocks and buffaloes passing out of Mysore to the neighbouring British Provinces for or by way of sale.

2. A single composite fee will be levied in cases where any one of the several buses reserved for a particular road makes the journey (*vide* G. O. No. R. 6989-98.—R. M. 33-28-6, dated 23rd February 1929.

SCHEDULE C.

RULES RELATING TO TOLLS ON STATE FUND ROADS AS IN FORCE FOR THE TIME BEING.

1. (*a*) A table of authorised tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate, together with a copy of these rules.

(*b*) (1) No more than one payment of toll shall be demanded at any one toll bar, gate or station in respect of any carriage or cart in any one period of 24 hours.

(2) No toll should be levied at a frontier toll-gate in Mysore on any cart, etc., passing the gate, if within a period of 24 hours at toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

2. (*a*) For the purposes of collecting tolls on vehicles, etc., within a period of 24 hours, the toll-gates at Sowlanga, Honnali and Malebennur will be treated as one toll-gate as per Government Order No. L. 8055-73—L. B. 111-28-30, dated 31st May 1929. If any toll has been paid at any one of the said toll-gates on vehicles, etc., the payment of toll at the other two is exempted within a period of 24 hours from the payment of toll.

(*c*) Carts laden with manure or other substance used as manure, shall be exempt from payment of toll at all the interior toll-gates and shall pay at the rate prescribed for unladen carts at all frontier toll-gates; provided that no toll shall be levied on carts belonging to agriculturists residing within five miles of the toll-gates when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

(*d*) No toll shall be levied on foot-passengers.

(*e*) No toll shall be levied for the passage of troops, or military stores, or equipages or of police officers in uniform on duty or of any person or property in their custody or of any property *bona fide* belonging to Government, or the proof of which should be established by the production of a pass or certificate from any officer of the Department to which the property belongs, such offices being duly authorised by the Deputy Commissioner or by Government to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the cart, or carriage conveying such property before it reaches the destination noted in such pass or certificate.

(*f*) No toll shall be levied for the passage of carriages or carts, etc., at any toll-gate if they belong to a Local Board or Municipal Council, the proof of which is to be established by the production of a certificate signed by the President of such body, or by such officer as may be authorised by the Government.

(*g*) No toll shall be levied for the passage of carriages, or carts, etc., if—

(1) they belong to His Highness the Maharaja, or His Highness the Yuvaraja;

(2) they belong to the Honourable the British Resident in Mysore; and his staff namely the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident;

(3) they belong to the Dewan of Mysore;

(4) they are engaged by the Postal Department exclusively to carry mails;

(5) they belong to a person who has compounded with the proper authority in accordance with the rules framed by Government;

(6) they convey British or Mysore Military Officers on duty;

Note.—(*a*) To entitle an officer to pass a toll-gate without payment as being "on duty" he must fulfil at least one of the following conditions:—

(i) be travelling in a Staff Car;

(ii) be wearing uniform or;

(iii) be in possession of the toll pass issued by Headquarters, Madras District or the Chief Commandant, Mysore State Troops, as the case may be;

(7) they belong to the Head of the mutts who hold a Rahadari issued by a competent authority; and

(8) they belong to the officers and subordinates of the Public Works Department below the grade of Executive Engineers, who travel on duty within their jurisdiction.

(*h*) No toll shall be levied on any conveyance used for ambulance purposes.

(*i*) No toll shall be levied on bullock carts except those carrying timber for commercial purposes, at all the interior Provincial road Toll-Gates established in the State since 13th January 1928.

Note.—Timber includes only logs or sawn timber but not bamboos, fuel and cane.

M. G. MEHKRI,
Deputy Commissioner.